

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Robert M. Ellis Confirmation No.: 8266  
Serial No.: 10/713,563 Examiner: Michael C. Krofcheck  
Filed: November 13, 2003 Group Art Unit: 2186  
For: METHOD AND APPARATUS FOR MAINTAINING DATA  
DENSITY FOR DERIVED CLOCKING  
Date: July 3, 2008

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner (Office Action mailed April 3, 2008 and Advisory Action mailed June 12, 2008) finally rejecting claims 1-15, 25 and 26. The item(s) checked below are appropriate:

**1. STATUS OF APPLICANT**

This application is on behalf of Robert M. Ellis and Intel Corporation.

☒ **other than a small entity**

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:

☒ **other than a small entity** **\$510.00**

**Notice of Appeal fee due** **\$510.00**

**3. EXTENSION OF TERM**

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of #1.136 for patent applications 37 CFR 1.191(d). But see 37 CFR 1.645 for extension of time

in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).

**(complete (a) or (b) as applicable)**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) ☐ Applicant petitions for an extension of time under 37 CFR 1.17 (a)-(d) for the total number of months checked below:

Extension Fee:

<input type="checkbox"/>	<u>Months</u>	<u>Small Entity</u>	<u>Other Than Small Entity</u>
<input type="checkbox"/>	one month	\$ 60.00	\$ 120.00
<input type="checkbox"/>	two months	\$230.00	\$ 460.00
<input type="checkbox"/>	three months	\$525.00	\$ 1050.00
<input type="checkbox"/>	four months	\$820.00	\$1,640.00

**If an additional extension of time is required, please consider this a petition therefor.**

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

**Extension fee due with this request** \$ \_\_\_\_\_

**or**

- (b) ☒ **Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.**

**4. TOTAL FEE DUE**

The total fee due is :

Notice of Appeal fee \$510.00  
Extension fee (if any) \$ NONE  
**TOTAL FEE DUE**

**\$510.00**

**5. FEE PAYMENT**

- ☒ Payment of fees is made via electronic filing system authorizing credit card payment for **\$510.00**



Any deficiency or overpayment for extensions of time or claims should be charged or credited to deposit account number 13-1703. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.



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